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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13
14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 MATTHEW BRADLEY MORRISON,

18 Defendant.
19

No. CR 07-70653 RS

STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME FROM
MARCH 6, 2008 TO APRIL 3, 2008
FROM THE SPEEDY TRIAL ACT
CALCULATION (18 U.S.C. §
3161(h)(8)(A))

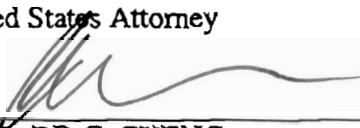
20 On March 6, 2007 the parties appeared for a hearing before this Court. At that hearing,
21 both parties requested an exclusion of time under the Speedy Trial Act based upon the current
22 on-going negotiations which may result in a pre-indictment disposition of the pending matter. At
23 that time, the Court set the matter for a preliminary examination or arraignment on April 3, 2008
24 at 9:30 a.m.

25 The parties stipulate that the time between March 6, 2008 and April 3, 2008 is excluded
26 under the Speedy Trial Act, 18 U.S.C. §3161, and agree that the failure to grant the requested
27 continuance would unreasonably deny defense counsel reasonable time necessary for effective
28 preparation and negotiation of the pending matter, taking into account the exercise of due

1 diligence. Finally, the parties agree that the ends of justice served by granting the requested
2 continuance outweigh the best interest of the public, and the defendant in a speedy trial and in the
3 prompt disposition of criminal cases. 18 U.S.C. §3161(h)(8)(A).

4
5 DATED: March 6, 2008

JOSEPH P. RUSSONIELLO
United States Attorney

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8 RICHARD C. CHENG
Assistant United States Attorney

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11 CYNTHIA LIE
Assistant Federal Public Defender

ORDER

Based upon the stipulation of the parties, and for good cause shown, the Court HEREBY ORDERS that the time between March 6, 2008 and April 3, 2008 is excluded under the Speedy Trial Act, 18 U.S.C. §3161. The court finds that the failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation and negotiation of the pending matter, taking into account the exercise of due diligence. Furthermore, the Court finds that the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial and in the prompt disposition of criminal cases. The court therefore concludes that this exclusion of time should be made under 18 U.S.C. §3161(h)(8)(A).

IT IS SO ORDERED.

DATED:

NADOR J. VADAS
UNITED STATES MAGISTRATE JUDGE